

Amendments to the Claims

This listing of claims will replace all prior versions and listings, of claims in the application:

1. **(Currently amended)** A system for providing pressurized water to a set of water inlets in a bathing enclosure having a water level, the water inlets positioned beneath the water level of the enclosure, the bathing enclosure comprising:

 at least one seat having a horizontal portion at an elevation beneath the water level of the enclosure; and

 a foot well positioned below the elevation;

the system comprising:

 at least one source of pressurized water;

 at least one manifold having at least one inlet in fluid communication with the at least one source of pressurized water and a plurality of outlets in fluid communication with the set of water inlets; and

 a user-operable diverter distinct from the manifold, the diverter configured to divert at least some of the pressurized water away from the water inlets and to the foot well below the elevation.

2. **(Original)** The system as recited in claim 1, wherein the user-operable diverter is positioned upstream of the manifold.

3. **(Original)** The system as recited in claim 1, wherein the user-operable diverter comprises a variable user-operable diverter.

4. ***(Previously presented)*** The system as recited in claim 1, wherein the set of water inlets comprise a plurality of first water inlets having a first pressure drop to the flow of water therethrough, and wherein the foot well comprises at least one second water inlet comprising a second pressure drop to the flow of water therethrough, wherein the user-operable diverter diverts at least some of the pressurized water to the at least one second water inlet of the foot well wherein the second pressure drop is less than the first pressure drop.

5. ***(Previously presented)*** The system as recited in claim 4, wherein the second pressure drop is at least 50% less than the first pressure drop.

6. ***(Original)*** The system as recited in claim 1, wherein the system further comprises at least one conduit positioned between the at least one source of pressurized water and the at least one manifold inlet, and wherein the user-operable diverter is in fluid communication with the at least one conduit.

7. ***(Previously presented)*** The system as recited in claim 1, wherein the system further comprises at least one conduit positioned between at least one of the plurality of manifold outlets and one of the water inlets, and wherein the user-operable diverter is positioned in the at least one conduit.

8. ***(Original)*** The system as recited in claim 1, wherein the user-operable diverter comprises a valve.

9. ***(Original)*** The system as recited in claim 1, wherein the at least one source of pressurized water comprises a plurality of pumps and wherein the user-operable diverter comprises a plurality of valves.

10. ***(Cancelled)***

11. ***(Original)*** The system as recited in claim 1, wherein the bathing enclosure comprises one of a pool, a tub, a spa, a shower, and a bath.

12-22. (**Cancelled**)

23. (**Currently amended**) A method for providing pressurized water to a set of water inlets in a bathing enclosure having a water level, the water inlets positioned beneath the water level of the enclosure, the bathing enclosure comprising:

at least one seat having a horizontal portion at a an elevation beneath the water level of the enclosure; and

a foot well positioned below the elevation,

the method comprising:

providing at least one source of pressurized water;

providing at least one manifold having an inlet in fluid communication with the at least one source of pressurized water and a plurality of outlets;

distributing the pressurized water from the plurality of outlets of the at least one manifold to the set of water inlets;

providing a water diverting device distinct from the manifold; and

diverting at least some of the pressurized water away from the set of water inlets with the diverting device and to the foot well below the elevation.

24. (**Previously presented**) The method as recited in claim 23, wherein the method further comprises:

providing at least one conduit positioned between the at least one source of pressurized water and the at least one manifold inlet, and

wherein diverting at least some of the pressurized water away from the set of water inlets comprises diverting at least some of the pressurized water from the at least one conduit.

25. **(Original)** The method as recited in claim 23, wherein the method further comprises providing at least one conduit positioned between at least one of the plurality of manifold outlets and the set of water inlets, and wherein diverting at least some of the pressurized water comprises diverting at least some of the pressurized water from the at least one conduit.

26. **(Original)** The method as recited in claim 23, wherein diverting at least some of the pressurized water comprises diverting at least some of the pressurized water wherein the volume of flow of pressurized water distributed to at least one of the plurality of water inlets is reduced.

27. **(Previously presented)** The method as recited in claim 23, wherein diverting at least some of the pressurized water away from the set of water inlets comprises diverting pressurized water away from the at least one manifold and to the foot well.

28. **(Cancelled)**

29. **(Previously presented)** The method as recited in claim 23, wherein the set of water inlets comprise a plurality first water inlets having a first pressure drop to the flow of water therethrough, and wherein the foot well comprises at least one second water inlet comprising a second pressure drop to the flow of water therethrough, wherein diverting at least some of the pressurized water comprises diverting at least some pressurized water to the at least one second water inlet wherein the second pressure drop is less than the first pressure drop.

30. **(Currently amended)** A method for providing pressurized water to a set of water inlets in a bathing enclosure having a water level, the water inlets positioned

beneath the water level of the enclosure, the bathing enclosure comprising at least one seat having a horizontal portion at an elevation beneath the water level of the enclosure,

the method comprising:

providing pressurized water to a manifold, the manifold being in fluid communication with a first set of water inlets positioned beneath the water level in the bathing enclosure;

directing water from the first set of water inlets upon a bather seated on the at least one seat beneath the water level of the enclosure, in the bathing enclosure; and

diverting at least some of the pressurized water away from the first set of water inlets with a water diverting device distinct from the manifold to one or more second water inlets in the bathing enclosure, wherein the pressure drop across the one or more second water inlets is less than the pressure drop across the first set of water inlets, and wherein the flow of water out of the one or more second water inlets does not impinge the bather.

31. (**Original**) The method as recited in claim 30, wherein the pressure drop across the one or more second water inlets is at least 50% less than the pressure drop across the first set of water inlets.

32. (**Previously presented**) The method as recited in claim 30, wherein the manifold comprises at least one inlet for pressurized water, and the method further comprises providing at least one conduit in fluid communication with the at least one manifold inlet, and wherein diverting comprises diverting at least some of the pressurized water from the at least one conduit.

33. **(Previously presented)** The method as recited in claim 30, wherein the manifold comprises a plurality of outlets, the method further comprises providing a plurality of conduits in fluid communication with at least some of the plurality of outlets, and wherein diverting comprises diverting at least some of the pressurized water from at least one of the plurality of conduits.

34. **(Original)** The method as recited in claim 30, wherein the pressure drop across the one or more second water inlets is less than the pressure drop across each of the water inlets of the first set of water inlets.

35. **(Currently amended)** A system for providing pressurized water jets to a bathing enclosure having a water level, the water jets positioned beneath the water level of the enclosure, the bathing enclosure including at least one seat adapted to support a bather, the seat having a horizontal portion at an elevation beneath the water level of the enclosure;

the system comprising:

at least one single speed pump for providing a source of pressurized water;

at least one manifold having at least one inlet and a plurality of outlets, the at least one inlet in fluid communication with the at least one single speed pump;

a set of water jets positioned beneath the water level of the enclosure and adapted to direct water above the elevation and upon the bather, the set of water jets in fluid communication with the plurality of outlets of the at least one manifold; and

a variable diverter distinct from the manifold, the diverter configured to divert at least some of the pressurized water away from the set of water jets and to the bathing enclosure below the elevation.

36. **(Original)** The system as recited in claim 35, wherein the variable diverter comprises at least one valve.

37. **(Original)** The system as recited in claim 36, wherein the at least one valve comprises at least one variable pressure relief valve.

38. **(Original)** The system as recited in claim 36, wherein the system further comprises at least one conduit for transferring pressurized water from the source of pressurized water to the at least one manifold, and wherein the at least one valve is in fluid communication with the at least one conduit.

39. **(Original)** The system as recited in claim 35, wherein the at least one source of pressurized water comprises a plurality of pumps and wherein the variable diverter comprises a plurality of valves.

40. **(Cancelled)**

41. **(Previously presented)** The system as recited in claim 35, wherein the set of water jets is positioned in the at least one seat.

42. **(Original)** The system as recited in claim 35, wherein the bathing enclosure comprises one of a pool, a tub, a spa, a shower, and a bath.

43-54. **(Cancelled)**

55. **(Previously presented)** The system as recited in claim 1, wherein at least one seat comprises a plurality of seats.

56. **(Previously presented)** The system as recited in claim 1, wherein the set of water inlets are positioned above the seat elevation.

57. **(Previously presented)** The system as recited in claim 1, wherein the at least one manifold comprises a plenum into which the least one inlet discharges water and from which water is distributed to the plurality of outlets.

58. **(Cancelled)**

59. **(Previously presented)** The system as recited in claim 58, the foot well water inlet is located at a elevation wherein the water introduced to the foot well by the foot well water inlet minimizes the impact of the water introduced via the foot well water inlet on the comfort or bathing experience of a bather.

60. **(Previously presented)** The method as recited in claim 30, wherein the bathing enclosure comprises a foot well, and wherein the flow of water out of the one or more second water inlets is directed to the foot well.

61. **(Previously presented)** The system as recited in claim 35, wherein the bathing enclosure further comprises a foot well positioned below the seat elevation of the at least one seat, and wherein the variable diverter is configured to divert at least some of the pressurized water away from the set of water jets and to the foot well.

62. **(New)** The system as recited in claim 1, wherein the a user-operable diverter is further adapted to divert at least some of the pressurized water away from the water inlets without increasing flow to any water inlet.